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RIGHTS OF THE CHILD

Written statement submitted by the Friends World Committee for Consultation (Quakers), a non-governmental organization in consultative status (category II)

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[28 October 1992]

Child soldiers

1. The recruitment of children into military service and their participation in armed conflicts are particular concerns of the Religious Society of Friends (Quakers). In our historic Peace Testimony we utterly deny all outward wars and strife. Quakers have for more than 300 years refused to participate in war, believing that it is wrong to kill or to train people to kill. As one step towards a more peaceful and just world, Quakers have worked to prevent the growing militarization of children around the world.

2. At its Triennial Meeting in 1979 the Friends World Committee for Consultation, which represents Quakers around the world, expressed its abhorrence of the widespread involvement of children in military training and armed conflicts. Since 1985 Quakers have submitted information on child soldiers to the United Nations and campaigned for improved international standards and mechanisms to reduce and eventually eliminate the use of children in armed forces.

3. The Quaker United Nations Office in Geneva participated in the drafting of the United Nations Convention on the Rights of the Child and had a particular concern for article 38 which deals with children in situations of armed conflict. More recently the Quaker United Nations Office (QUNO) has submitted information about the use of children as soldiers to the United Nations Commission on Human Rights and to the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities. Quaker Peace and Service recently published a report entitled "Child Soldiers".

4. The use of children in war, however, is not new. For centuries children have participated in military campaigns and in the last century there were numerous child ratings on war ships and drummer boys on the battle fields of Europe. Since the end of the Second World War there appears to be a clear trend to recruit children into armed forces. In the world today tens of thousands of children under 18 years of age are fighting alongside adult soldiers or in separate units. Some of these child soldiers are reported to be as young as seven years old.

5. Today most wars are taking place in the South and consequently most of the children participating in armed conflicts come from those countries. Several Governments in Europe and in North America, however, subsidize military training for persons under the age of 18 years and allow boys and sometimes girls of 16 and 17 to enlist voluntarily in the armed forces.

6. Too many children have been killed or maimed as a direct result of participating in armed conflicts. Others suffer from psychological trauma, and many are captured and detained in prisoner-of-war camps.

7. Some children join armed forces voluntarily, perhaps inspired by the idea of liberating their country. Others join in order to satisfy their need for food, clothing and shelter. There are also many situations where children have been forcibly recruited. The use of children by armed forces raises problems for the eradication of slavery-like practices and the exploitation of child labour and is also a gross violation of human rights.

8. The minimum age of the recruitment of children into armed forces and participation in hostilities is set out in international humanitarian law and international human rights law. Existing standards are contained in:

(a) The Geneva Conventions of 1949 and the Additional Protocols of 1977;

(b) The United Nations Convention on the Rights of the Child;

(c) The African Charter on the Rights and Welfare of the Child;

(d) UNHCR's Guidelines on Refugee Children; and

(e) The Human Rights Committee's General Comment No. 17 on article 24 of the International Covenant on Civil and Political Rights.

Recommendations

1. Ratification of existing international instruments

(a) Where they have not done so States should be encouraged to ratify the Geneva Conventions of 1949 and the Additional Protocols of 1977, and the United Nations Convention on the Rights of the Child (1989);

(b) Violations of the Geneva Conventions and the Additional Protocols should be regarded as a breach of contract with all the ratifying States. State parties should take measures to ensure respect of humanitarian principles by other ratifying States.

2. Implementation of existing standards

(a) The United Nations should appoint a special rapporteur or working group to monitor the implementation of existing standards concerning the recruitment of children into armed forces and their participation in hostilities. Alternatively the United Nations Commission on Human Rights could decide to enlarge the mandate of its Special Rapporteur on the sale of children, child prostitution and child pornography so as to include child soldiers;

(b) The Committee on the Rights of the Child and the Human Rights Committee should question States parties about their military recruitment practices with regard to children under the age of 18 years.

3. Raising the age of recruitment into armed forces

(a) States should be encouraged to make unilateral declarations stating that they will not recruit persons under 18 years into their armed forces;

(b) States parties to the Geneva Conventions should consider raising the age of recruitment from 15 to 18 years. An optional protocol could also be added to the United Nations Convention on the Rights of the Child by which ratifying States would agree not to recruit into their armed forces persons under 18 years of age.

4. Study on child soldiers

The Committee on the Rights of the Child might also wish to consider an in-depth study of the recruitment of children into armed forces and their participation in hostilities. It would also be helpful if the Committee were to issue is own General Comment on this concern. Such a General Comment should complement and strengthen the Human Rights Committee's General Comment No. 17 on article 24 of the International Covenant on Civil and Political Rights.

5. Catering for the needs of child soldiers

The United Nations and non-governmental organizations should provide all necessary assistance to those children who suffered physical or mental injury on account of their participation in armed forces and in war.

6. Refugee children

Children fleeing recruitment into armed forces should be recognized as refugees and guaranteed protection and assistance by the international community.

7. Advisory services and technical assistance

The United Nations should provide advice and technical assistance to Governments and non-governmental organizations wishing better to understand and implement existing standards concerning the recruitment of children into armed forces and participation in hostilities. United Nations bodies such as UNHCR and UNICEF should bring together Governments, non-governmental organizations and experts familiar with the situation of children in armed conflicts and anxious to improve health, education, employment and social services for reintegrating ex-child soldiers into civilian society.

8. Armed opposition groups

Those Governments, political movements and others who have friendly relations with armed opposition groups should exert their influence and encourage those groups to respect international norms governing hostilities.